



TRABAJO

SECRETARÍA DEL TRABAJO
Y PREVISIÓN SOCIAL

National Strategy for the Implementation of the Labor Justice System

Introduction

The recent amendments to the labor legal framework in Mexico, published in Mexico's Official Gazette (*Diario Oficial de la Federación –DOF–*) on May 1, 2019, were enacted in accordance with the amendments to Section "A" of article 123 of the Political Constitution of the United Mexican States (Mexican Constitution) published on February 24, 2017. This labor reform also responds to the principles of freedom of association, which Mexico assumed with the ratification of ILO Convention 98 by the Mexican Senate on September 20, 2018, as well as the commitments assumed under Annex 23-A of the United States-México-Canada Agreement (USMCA).

The labor reform implies, among other things, a transition between current corporatism to effective union democracy in Mexico, eradicating protection contracts -signed without workers' consent- and establishing an effective collective bargaining in which Collective Bargaining Agreements and their reviews shall be approved by the majority of workers, through personal, free, direct and secret vote. Likewise, this means a change from a slow and ineffective system of labor justice to expeditious procedures conducted by Labor Courts from the judiciary branch of the Government endowed with autonomy and independence for their decisions.

In summary, the labor reform published on May 1, 2019, sets the foundations of a new labor model in Mexico.

As a consequence, the competent authorities and the sectors involved must now materialize the changes included in the new labor legislation. In order to achieve this objective, the Ministry of Labor and Social Welfare proposed a set of coordinated actions for the implementation of this fundamental reform, which are included in this document: "*National Strategy for the Implementation of the Labor Justice System*". The design of this proposal relied on the advice of jurists and labor lawyers, as well as a group of experts from the United Nations Development Program (UNDP) and the Inter-American Development Bank (IDB).

More than a final or finished version of what shall constitute the Implementation of Labor Reform, this document should be a departing point and a guideline, which provides for the involvement of institutions, operators of conciliation and labor justice bodies, and well as civil society in the construction of a new labor model in benefit for all.

Background

On February 24, 2017, the Mexican Government published in the DOF the "*Decree by which several provisions on labor justice are amended and incorporated in Articles 107 and 123 of the Political Constitution of the United Mexican States, regarding Labor Justice*".

Pursuant to the February 24, 2017 decree, the Mexican Constitution provides the following:

- labor justice will be under the responsibility of the Federal and Local Judiciary Branch authorities, depending on the nature of the labor conflicts (federal or local);
- procedures to guarantee freedom in collective bargaining activities and union democracy;
- the obligation to have recourse to a conciliatory authority before submitting a claim to Labor Courts;
- the constitution of a federal decentralized body, which, in addition to carrying out labor conciliation procedures, will be in charge of the registration of all the unions in Mexico and will be responsible of the registration and deposit of Collective Bargaining Agreements; and
- the creation of specialized and impartial conciliation centers in the Mexican states.

Likewise, the February 24, 2017 decree provided under the second of its transitional provisions, that the corresponding legislative adjustments to implement the reform to section "A" of article 123 of the Mexican Constitution, shall be carried out by the Federal Congress and the congresses of the Mexican states within the following year after its entry into force.

Thus, on May 1, 2019 the Mexican Government published in the DOF the "*Decree by which several provisions on labor justice, freedom of association and collective bargain, are amended, incorporated and derogated in the Federal Labor Law, Organic Law of the Federal Judiciary, the Federal Law of the Public Defender, the Law of the Institute of the National Fund for Housing for Workers and the Law for Social Security.*"

The transitional regime of the May 1, 2019 decree includes a series of obligations and timeframes for its gradual implementation, so that the responsible institutions are provided with sufficient time to successfully plan and implement the Labor Reform, within their respective responsibilities.

Linkage with the 2019-2024 National Development Plan

General Axis “Justice and Rule of Law”

Objective 1.1 Strengthen democratic governance

The strategy 1.1.3 of the National Development Plan provides the following: *"Strengthen institutions, mechanisms, instruments and alternative means of dispute resolution, in order to provide an early solution to conflicts between individuals and with authorities to protect, among other rights, private and collective property, including property rights to land and intellectual property, as well as the rights of workers, consumers, taxpayers, users of financial services, with special attention to women and groups historically discriminated."*

In addition, the **Coordination Council for the Implementation of the Labor Justice System Reform** (established under the seventeenth of the transitional provisions of the May 1, 2019 decree) is tasked, among others, with the following:

“II. Prepare the necessary policies, programs and mechanisms to implement, at the federal and local levels, a national strategy for the implementation of the Labor Justice System, which includes the programming of commitments and stages of their development;”

In compliance with this mandate, the present strategy was prepared with the purpose of promoting the joint coordination of actors and instances and thus establishing the strategic lines of action under which the Labor Reform should be implemented.

In this sense, the guiding principles for the implementation of this labor reform are the constitutionality and conventionality principles.

Current context of the Labor Justice System

The current Labor Justice System presents serious problems due to lags, delays and lack of effectiveness. In 2015, the Center Research and Teaching in Economics (*Centro de Investigación y Docencia Económicas, A.C. –CIDE–*) organized the *"Dialogues for Daily Justice"*, with the objective of diagnosing and proposing solutions to problems that directly affect the access to justice in Mexico.

With respect to labor matters, several problems were identified by the Dialogues: *"underutilization of the conciliation; lack of modernization and streamlining of procedures through the adequate use of information technologies; the lack of implementation of online trials; lack of a body tasked with the inspection of the conciliation and arbitration boards; the lack of mandatory adoption of criteria by reiteration; deficiency in the implementation of the professional career service; limitation and questioning around the independence of the conciliation and arbitration boards,*

especially at the local level; insufficient mechanisms to promote the agreement outside of judgment; difficulty in executing the resolutions of the boards; delay in the practice of notifications and summons; absence of an organizational scheme that allows for the concentration of human and material resources available in the most problematic areas or that demand greater attention; administrative insufficiency, corruption practices".

"It cannot be ignored that labor courts face some general issues in the administration of justice such as delays in the practice of notifications and summons, as well as bureaucratization in their operations and excessive workloads, for matters that are not specific to their original duties."

"On the defendants' side, one can note: the misuse of conciliation, since the recourse to the courts is done, with some regularity, under the idea of achieving a reduction of minimum legal obligations; simulation of an abandonment of employment that could be interpreted as a dismissal; unjustified dismissals that simulate resignation or reinstatement offers from the worker; abuse of the orality principle, excessive offer of evidence and means of contesting the resolutions, and abuse of injunctions (amparo). All this, with the aim of extending the duration of the procedures. Also, presence protection contracts; ghost unions that the workers are not aware of; delay of recounts regarding the ownership of collective bargaining agreements, among other problems." ¹

Objective

Implement the Reform of the Labor Justice System in the federal and local order in an efficient and timely manner, under the guidance of the **Coordination Council for the Implementation of the Labor Justice System Reform** ("the Coordination Council").

Specific objectives

- Establish pre-judicial conciliation as the main mechanism for the conclusion of labor disputes.
- Implement a prompt and expedited labor justice system that responds to the principles of legality, impartiality, transparency, autonomy and independence.
- Guarantee freedom of association, union democracy, genuine collective bargaining and the principle of representativeness in unions, through the workers' personal, free, secret, and direct vote.
- Ensure that the registration of Collective Bargaining Agreements, as well as trade union organizations are governed by the principles of certainty, transparency, democracy and freedom.

¹ *Diálogos por la Justicia Cotidiana*, (2015):
https://www.gob.mx/cms/uploads/attachment/file/79028/Di_logos_Justicia_Cotidiana.pdf

Objectives and specific actions

To facilitate the definition of goals, **9 action areas** were defined considering major issues to be developed at the departing point of the functions of the New Labor Justice System:

1	Legal framework and Legislative harmonization
2	Creation and Installation of the Federal Center of Conciliation and Labor Registration
3	Creation of the State Conciliation Centers
4	Transfer and file digitalization
5	Creation and beginning of operation of labor courts
6	Conclusion of pending cases
7	Professionalization on labor justice affairs
8	Procedures to Guarantee Union Democracy and Meaningful Collective Bargaining
9	Gender Perspective

To implement the new Labor Justice System within the timeframes set in the transitional provisions of the May 1, 2019 decree, specific goals and actions shall be defined within each of the areas of action that make this "**National Strategy for the Implementation of the Labor Justice System**". The specific goals and actions are described below:

1. Legal framework and Legislative harmonization

In order to comply with the constitutional reform it is crucial to ensure consistency between the Federal Labor Law and the laws at state level, to prevent conflicts among regulations and to protect and guarantee labor rights for all Mexicans.

In that regard, legislative and executive authorities at state level are responsible for reviewing its legal framework, including the laws pertaining to the judicial branch, and ensuring that those laws are harmonized with the Federal Constitution.

On the other hand, the Congress of the Union shall issue the Organic Law for the Federal Center of Conciliation and Labor Registration.

Objective

To accomplish the necessary legislative amendments at the federal and state levels to comply with the constitutional reform and that allows the implementation of the Reform to the Labor Justice System.

Specific actions

1.1 Approval of the Organic Law for the Decentralized Public Agency of Conciliation and Registration

Timeline	180 days from the entry into force
Legal basis	Second Article of the transitional provisions of the Decree amending the Federal Labor Law published on May 1, 2019 in the Official Gazette (hereinafter “Reform of the Federal Labor Act of May 1 st 2019”)
Responsible institutions	<ul style="list-style-type: none"> • Congress of the Union. • Secretariat of Labor and Social Welfare. • Legal Counsel of the Federal Executive. • Federal Judicial Branch.
Activities	Develop a bill for the Law for the Decentralized Public Agency of Conciliation and Registration.
Technical Secretariat of the Coordination Council	Coordinate the monitoring and management actions of the bill submitted to the Congress of the Union.

1.2 Modification to the state level legal framework in accordance with the new Labor Justice system.

Timeline	June- December 2019
Legal basis	Second Article of the transitional provisions of the Constitutional Decree published on February 24, 2017.
Responsible institutions	<ul style="list-style-type: none"> • Local congresses at state level • Governors from the Mexican states • Judiciary branches at state level • Technical Secretariat of the Coordination Council • Federal Judicial Branch
Activities	<ul style="list-style-type: none"> • Amend Constitutions from the state level, if necessary. • Amend laws at the state level in accordance with the Federal Constitution and the Federal Labor Law. • The Federal Judicial Branch will provide advice about the proposed amendments to the legal framework at the state level.
Technical Secretariat of the Coordination Council	<ul style="list-style-type: none"> • Propose a Model Law for the Conciliation Centers at the state level. • Provide technical assistance in the design of the state laws.

2. Creation and Installation of the Federal Center of Conciliation and Labor Registration

The Federal Center of Conciliation and Labor Registration (CFCRL acronym in Spanish), a decentralized public body, will provide and promote the conciliation for disputes resolution between employers and employees, employees and unions, and unions among themselves. Additionally, it will register all bargaining agreements, administrative agreements of law-contracts, internal labor regulations, and unions' registration. Finally, it will issue certificate of representativeness and will verify that the unions' procedures to elect their leaders and for consultation to approve in majority their bargaining agreements, be carried out through the personnel, free, direct and secret voting.

Objective

To provide the Federal Center of Conciliation and Labor Registration the tools and resources necessary to carry out its functions.

Specific Actions

2.1. Planning and approval of the Budget for the Federal Center of Conciliation and Labor Registration

Timeline	<ul style="list-style-type: none"> From June to November of every year, starting on 2019
Legal basis	<ul style="list-style-type: none"> Article Twelve of the transitional provisions of the Reform of the Federal Labor Act of May 1st 2019 Articles 7, 25, 26, 27, 28 y 29 of the Federal Budget and Fiscal Responsibility Act
Responsible institutions	<ul style="list-style-type: none"> Secretariat of Labor and Social Welfare Federal Judicial Branch Secretariat of Finance and Public Credit
Activities	<ul style="list-style-type: none"> Plan and define along with the Federal Judicial Branch the federal entities in which the functions of conciliation and registration of the CFCRL and federal labor courts will begin and in which year
Technical Secretariat of the Coordination Council	<ul style="list-style-type: none"> Estimate the workload of the conciliations, registrations, and verifications, in order to foresee the required budget for the first year of operation

2.2 Designation of the Head of the Federal Center of Conciliation and Labor Registration

Timeline	<ul style="list-style-type: none"> After the Organic Law of the Federal Center of Conciliation and Labor Registration Act has been enacted
Legal basis	<ul style="list-style-type: none"> Article Four of the transitional provisions of the Constitutional Decree of February 24th 2017
Responsible institutions	<ul style="list-style-type: none"> Federal Executive Branch Senate of the Republic Secretariat of Labor and Social Welfare
Activities	<ul style="list-style-type: none"> Nomination of three candidates, to the Senate of the Republic
Technical Secretariat of the Coordination Council	<ul style="list-style-type: none"> Contribute and follow up to the nomination process, before the Senate of the Republic. Provide technical assistance and support to the Head of CFCRL Jointly elaborate with the Head of the CFCRL a roadmap for the implementation of that public body.

2.3 Organizational design and mapping processes of the Federal Center of Conciliation and Labor Registration

Timeline	<ul style="list-style-type: none"> December 2019
Legal basis	<ul style="list-style-type: none"> Article Seventeen of the transitional provisions of the Reform of the Federal Labor Act of May 1st 2019
Responsible institutions	<ul style="list-style-type: none"> Federal Center of Conciliation and Labor Registration Federal Judicial Branch
Activities	<ul style="list-style-type: none"> Enact the Organic Statute of the CFCRL Define and justify the organizational structure to carry out the main functions, as well as jobs descriptions of each position inside the CFCRL Enact the internal organization manuals, substantive procedurals and administrative management. Present the aforementioned documents during the first session of the Board of Government of the CFCRL Assistance by the Federal Judicial Branch
Technical Secretariat of the Coordination Council	<ul style="list-style-type: none"> Propose the drafts of the aforementioned documents

2.4 Implementation of an infrastructure and technological equipment plan for the Federal Center of Conciliation and Labor Registration

Timeline	<ul style="list-style-type: none"> July 1st, 2020
Legal basis	<ul style="list-style-type: none"> Article Twenty-first of the transitional provisions of the Reform of the Federal Labor Act of May 1st 2019
Responsible institutions	<ul style="list-style-type: none"> Federal Center of Conciliation and Labor Registration Federal Judicial Branch
Activities	<ul style="list-style-type: none"> Plan and define the location of the state offices of the CFCRL Adequate and equip the offices of the CFCRL, to allow them to optimally provide the services of conciliation, registration and verification Outline the characteristics of the required technological platforms Develop the email and management platforms of the services of conciliation and registration Assistance by the Federal Judicial Branch
Technical Secretariat of the Coordination Council	<ul style="list-style-type: none"> Propose the interinstitutional agreements for the interoperability of their different platforms

3. Creation of the State Conciliation Centers

According to paragraph XX of section A of Article 123 of the Constitution, workers and employers must complete their respective Conciliatory phase, in advance of appearing to a Labor Court. At the local level, the conciliatory legal powers will be executed by the “State Centers of Conciliation”, which shall be specialized and impartial and ruled by the State laws. Inter-institutional coordination to implement the new Labor Justice System nationally, is needed to successfully carryout the “Conciliatory phase” in each State.

Objective

Successfully implement the pre-judicial conciliation phase at every local Conciliation Center nationwide, within a maximum period of 3 years.

Specific Actions

3.1 Define a path of Implementation at local level.

Timeline	June- September 2019
Legal basis	Article Seventeen Section IV of the transitional provisions of the Reform of the Federal Labor Law of May 1, 2019
Responsible institutions	<ul style="list-style-type: none"> • State Secretariats of Labor or homologous areas • Local Board of Conciliation and Arbitration • State Judicial Branch • Finance Secretary • Local Legislative Branch • Federal Judicial Branch
Activities	<p>Create local implementation teams, included and represented by the following institutions:</p> <ul style="list-style-type: none"> a) Secretariat of Labor from the state b) Local Board of Conciliation and Arbitration c) State Judicial Branch d) Finance Secretariat of the state e) Local Congress <p>Create an agenda and schedule to implement the Labor Reform at State Level in a coordinated manner.</p> <p>Accompaniment and monitoring by the Federal Judicial Branch.</p>
Technical Secretariat of the Coordination Council	<p>Propose to the respective entities the organizational and operational changes required, through guides, guidelines and tools in order to facilitate their implementation.</p> <p>Act as liaison with labor authorities aiming to implement and align with the entry into force of the Federal and State Authorities.</p>

3.2 Budget planning and approval for State Conciliation Centers

Timeline	From June to November of each year, starting 2019.
Legal basis	Budgetary laws of the states
Responsible institutions	<ul style="list-style-type: none"> • Secretariats of Labor of the states or homologous areas • Local Secretariats of Finance • Local Legislative Branch
Activities	Carry out the planning and budget programming of the state Conciliation Centers.
Technical Secretariat of the Coordination Council	To contribute with the local legislatures, in the monitoring and evaluation of expenditures in the implementation and operation of the Labor Justice System.

3.3 Implement an Operational plan for State Conciliation Centers

Timeline	June 2019 to May 1, 2022
Legal basis	Article Twenty-one of the transitional provisions of the Reform of the Federal Labor Law of May 1, 2019
Responsible institutions	<ul style="list-style-type: none"> • State Secretariats of Labor or homologous areas • The state Conciliation Centers.
Activities	<p>Plan and determine sites for the State Conciliation Centers, considering the proximity to the State Labor Courts.</p> <p>Make the necessary operational changes to provide in an optimal manner the conciliation, registration and verification services.</p> <p>Develop electronic mailbox platforms and management of conciliation and registration services, which must be compatible with the Local Labor Court's platforms.</p>
Technical Secretariat of the Coordination Council	Propose inter institutional agreements for the transfer of developed technology or data, as well for the interoperability among institutions' digital platforms.

4. Transfer and file digitalization

In order to plan the transfer of registration files of collective matters to the Federal Center of

Conciliation and Labor Registration foreseen under Article four of the transitional provisions of the "Reform of the Federal Labor Law of May 1, 2019", this section proposes the guidelines to perform the transfer of registration files and documentation. According to their responsibilities, the registration files and documentation is under the custody or guard of the Secretariat of Labor and Social Welfare, the Federal Conciliation and Arbitration Board, as well as the Local Conciliation and Arbitration Boards.

Objective

Compile a national fund with the registration files that will be transferred to the Federal Center of Conciliation and Labor Registration.

Specific Actions

4.1 Budget planning and approval for technological and human resources that will conduct the classification, organization and digitization of legal archives.

Timeline	June to November of each year, as of 2019.
Basis	<ul style="list-style-type: none"> Article Four of the transitional provisions of the Reform to the Federal Labor Law of May 1, 2019 Articles 7, 25, 26, 27, 28 and 29 of the Federal Budget and Fiscal Responsibility Law and Budget Laws of the Federal Entities
Responsible institutions	Secretariat of Labor and Social Welfare Ministry of Finance State Secretariats of Labor or homologous areas State Secretariats of Finance Local Legislative Branch
Activities	Perform federal and local budget planning and programming to distribute the workloads that allow to determine technical and human requirements that perform the tasks such as classify, organize, and elaborate a digital dossier for a successful transfer process.
Technical Secretariat of the Coordination Council	Prepare a work plan with the states and the Secretariat of Labor and Social Welfare to comply with the digitization of files in a timely manner, as well as to guarantee compliance with the standards established for that purpose.

4.2 Prepare and send the registration list and electronic support from the Local Conciliation and Arbitration Boards to the Federal Center of Conciliation and Labor Registration (CFCRL).

Timeline	June 2019 to May 1, 2021
Basis	Article Four of the transitional provisions of the Reform to the

	Federal Labor Law of May 1, 2019
Responsible institutions	<ul style="list-style-type: none"> • State Secretariats of Labor or homologous areas • Local Conciliation and Arbitration Boards • Federal Center of Conciliation and Labor Registration
Activities	<ul style="list-style-type: none"> • The State Secretariats of Labor or homologous areas must provide the necessary material and human resources for the development of the legal list and the file digitization. • Organize and classify the registration files within the Local Conciliation and Arbitration Boards. • Issue the criteria and mechanisms under which the file delivery procedure will be conducted to guarantee the integrity, certainty and security of the information to be sent. • The CFCRL must have the necessary offices and staff to receive and incorporate information sent by the local Boards.
Technical Secretariat of the Coordination Council	<p>Issue the transfer guidelines of the registration files.</p> <p>Assist the local Conciliation and Arbitration Boards with the methodology for the development and submission of the legal list, as well as with the classification, follow-up and organization of the registration files.</p> <p>Follow-up in the processes and actions for the classification, organization and digitalization of registration files.</p>

4.3 Prepare and send the registration files' list and their electronic support from the Federal Conciliation and Arbitration Board and the General Directorate of Registration of Associations of the Secretariat of Labor and Social Welfare to the Federal Center of Conciliation and Labor Registration.

Timeline	June 2019 to May 1, 2021
Basis	Article Four of the transitional provisions of the Reform to the Federal Labor Law of May 1, 2019.
Responsible institutions	<ul style="list-style-type: none"> • Secretariat of Labor and Social Welfare, through the General Directorate of Registration of Associations • Federal Conciliation and Arbitration Board • Federal Center of Conciliation and Labor Registration
Activities	Provide the necessary material and human resources for the development of the legal archives' list and the file digitization.

	<p>Organize and classify the registration files at the Federal Conciliation and Arbitration Board and the General Directorate of Registration of Associations of the Secretariat of Labor.</p> <p>The CFCRL must have the necessary offices and staff to receive and incorporate the lists that are sent by the Federal Board and the General Directorate of Registration of Associations.</p>
Technical Secretariat of the Coordination Council	<p>Propose to the Council the transfer-reception guidelines of the registration files.</p> <p>Help the Federal Conciliation and Arbitration Board and the General Directorate of Registration of Associations for the development and submission of the legal archives' list, as well as with the classification follow-up and organization of the registration files.</p>

5. Creation and beginning of operations of labor courts

The reforms to the Federal Labor Law contemplate the creation of Labor Courts in substitution to the Conciliation and Arbitration Boards, to transit to a new authority responsible for solving labor conflicts. These reforms to the law provide effective independence to the Labor Judicial System with respect to the Executive Branch, by transferring labor justice responsibilities to the Judicial Branch. These Labor Courts will implement the new labor procedures and trials through an expeditious, agile, and efficient manner.

Objective

To successfully provide labor justice through the creation of local and federal Labor Courts nationwide.

Specific actions

5.1 Planning and approval of the Labor Courts' yearly budget at the federal level.

Timeline	Yearly, between June and November, beginning 2019.
Legal basis	Article Six of the transitional provisions of the Reform to the Federal Labor Act, approved on May 1 st , 2019.
Responsible institutions	<ul style="list-style-type: none"> • Federal Judicial Branch • Secretariat of Labor and Social Welfare • Secretariat of Finance and Public Credit
Activities	The Judicial Branch and the Secretariat of Labor will jointly plan the initial stages of operations of the labor courts, the conciliatory centers and labor registration.

	Estimate the federal labor courts' annual operating costs by calculating the workload of ordinary and special procedures, taking into account the special needs and requirements to operate and estimate an annual budget sufficient to each labor court to be operational.
Technical Secretariat of the Coordination Council	Provide support in planning the stages of initial operations, and share information with the Judicial Branch required for budget planning.

5.2 Planning and approval of the Labor Courts' yearly budget at the local level.

Timeline	Yearly between June and October, beginning in 2019.
Legal basis	Article Five of the transitional provisions of the Reform to the Federal Labor Act, approved on May 1 st , 2019.
Responsible institutions	<ul style="list-style-type: none"> • State Secretariats of labor or homologous areas • State Judicial Branch • State Secretariats of finance • State Legislative Branch
Activities	<p>Determine, within the local implementing teams, the simultaneous beginning of operations between the local conciliatory centers and the local labor courts.</p> <p>Estimate each local labor court's annual operating costs by calculating the workload of ordinary and special procedures.</p> <p>Approve the necessary appropriations for local courts in the state budget.</p>
Technical Secretariat of the Coordination Council	Provide state institutions with budget planning assistance, as well as share best budgeting practices in other states.

5.3 Implement an infrastructure and technology equipment plan for local and federal labor courts.

Timeline	July 1 st , 2020
Legal basis	Article Twenty-First of the transitional provisions of the Reform to the Federal Labor Act, approved on May 1 st , 2019.
Responsible institutions	<ul style="list-style-type: none"> • Federal Judicial Branch

	<ul style="list-style-type: none"> State Judicial Branch
Activities	<p>Plan and determine the sites for local labor courts.</p> <p>Arrange adjustments and install the necessary equipment of labor courts sites to optimally provide conciliatory, registration and verification services.</p> <p>Develop an electronic mailbox and a service management platform as means to follow up labor issues.</p>
Technical Secretariat of the Coordination Council	Propose inter institutional agreements for the transfer of developed technology or data, as well as interoperability among the institution's digital platforms.

5.4 Create a social security consultation platform.

Timeline	May 1 st , 2020
Legal basis	Article Twenty-Six of the transitional provisions of the Reform to the Federal Labor Act, approved on May 1 st , 2019.
Responsible institutions	<ul style="list-style-type: none"> Mexican Social Security Institute Social Security and Services Institute for State Workers State social security agencies Federal Judicial Branch
Activities	Social security institutions must provide to labor courts with access to their databases through an information platform in order to facilitate solution to controversial issues.
Technical Secretariat of the Coordination Council	<p>Propose minimum characteristics for the consultation platform.</p> <p>Act as liaison to social security institutions and the Federal Judicial Branch.</p> <p>Propose collaboration agreements for operations of the consultation platform</p>

5.5 Identify implementation best practices and benchmarking.

Timeline	Permanently
Legal basis	Article Twenty-Six of the transitional provisions of the Reform to the Federal Labor Act, approved on May 1 st , 2019.
Responsible institutions	<ul style="list-style-type: none"> • Federal Judicial Branch • National Commission of Superior Courts of Justice
Activities	Identify best practices and those States that can be considered as models during the implementation.
Technical Secretariat of the Coordination Council	<ul style="list-style-type: none"> • Act as liaison between the State-level judicial branches and the Federal Judicial Branch to share best practices and role models. • Invite international organizations (ILO, OECD, OAS, EUROPEAN COMMISSION, IADB, UNDP, ONU-WOMEN, and ECLAC, among others.) to share their best practices in the matter.

6. Conclusion of pending cases

A part of the transition to the new labor justice model involves the extinction of the Conciliation and Arbitration Boards, which requires the conclusion, within a reasonable period, of the pending cases before the boards, as well as those that could be submitted until the entry into operations of the conciliation centers and Labor Courts. This imposes the need to establish programs to reduce lags and delays.

Objective

Conclude within a reasonable period, cases that are currently in process before the Federal and Local Conciliation and Arbitration Boards, in accordance with the plans and programs developed by them.

Specific actions

6.1 Development and monitoring of plans and programs to finish pending cases at Local Conciliation and Arbitration Boards

Timeline	August 30, 2019.
Legal basis	Article Sixteen of the transitional provisions of the Reform to the Federal Labor Law of May 1, 2019

Responsible institutions	<ul style="list-style-type: none"> • State Secretariats of Labor or homologous areas • Local Conciliation and Arbitration Boards • Federal Judicial Branch
Activities	<p>For the development of plans and programs to conclude the pending cases, the State Secretariats of Labor shall inform the Coordination Council about the date of entry into operations of the State Conciliation Center and the Labor Courts.</p> <p>The Local Boards will design their plans and programs considering the dates proposed by their respective Secretariats of Labor. The plans and programs shall be sent to the Technical Secretariat of the Coordination Council.</p> <p>Support and follow-up by the Federal Judicial Branch.</p>
Technical Secretariat of the Coordination Council	<p>Definition of guidelines for the preparation of plans and programs for the conclusion of pending cases.</p> <p>Monitoring of reports sent by those responsible of the indicators corresponding to each program.</p>

6.2 Preparation and monitoring of the plan and program for the resolution of pending cases at the Federal Conciliation and Arbitration Board

Deadline	August 30, 2019.
Legal basis	Article Sixteen of the transitional provisions in the "Reform of the Federal Labor Law of May 1, 2019"
Responsible institutions	<ul style="list-style-type: none"> • Secretariat of Labor and Social Welfare • Federal Conciliation and Arbitration Board • Federal Judicial Branch
Activities	<p>For the preparation of the plan and program to conclude pending cases, the Federal Conciliation and Arbitration Board shall consider the stages for the beginning of operations at the federal level.</p> <p>Support and follow-up by the Federal Judicial Branch.</p>
Technical Secretariat of the Coordination Council	<p>Definition of guidelines for the preparation of plans and programs for the conclusion of pending cases.</p> <p>Monitoring of reports by the Federal Conciliation and Arbitration Board, related the 66 Special Boards throughout the country.</p>

6.3 Establishment of internal instances in bodies and agencies to conclude the lag of cases processed before the Conciliation and Arbitration Boards

Deadline	May 1, 2020.
Legal basis	Article Eighteen of the transitional provisions in the "Reform of the Federal Labor Law of May 1, 2019"
Responsible institutions	<ul style="list-style-type: none"> • Parastatal entities governed by section A of Article 123 of the Mexican Constitution • Federal Judicial Branch
Activities	<p>Estimate the number of cases that could be resolved through Alternative Dispute Resolution Mechanisms (ADRM).</p> <p>To make regulatory and administrative adjustments to implement the internal areas within bodies and agencies.</p> <p>Support and follow-up by the Federal Judicial Branch</p>
Technical Secretariat of the Coordination Council	Integrate a registry of bodies and agencies that establish their internal areas and, where appropriate, share success cases within the same institutions.

6.4 Establishment of internal instances in Social Security Institutes for labor individual conflicts

Deadline	May 1, 2020
Legal basis	Article Nineteenth of the transitional provisions in the "Reform of the Federal Labor Law of May 1, 2019"
Responsible institutions	<ul style="list-style-type: none"> • Mexican Institute of Social Security • National Institute for Housing Fund for Workers
Activities	<p>Estimate the number of cases that could be resolved through Alternative Dispute Resolution Mechanisms (ADRM).</p> <p>To make regulatory and administrative adjustments to implement the internal areas of self-organization within bodies and agencies.</p>
Technical Secretariat of the Coordination Council	<p>Propose the adequacy of the Presidential agreement of the ADRM in labor matters to enable conciliation of labor disputes in parastatal bodies.</p> <p>Integrate a registry of bodies and agencies that establish their</p>

	internal areas, as well as disseminate and share cases of success from those public bodies.
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7. Professionalization on labor justice affairs

Much of the instrumentation success of the new justice system depends not only on the accessibility of materials and technological resources; it is also essential that the operators have the necessary tools, and skills, to implement the system in the best possible way. Training is a fundamental pillar for the process of implementation to go through appropriately and efficiently; which is why the bases of such training should be well established, as well as those regarding the professionalization of the operators.

Objective

Build the training programs that offer the theoretical-methodological knowledge for the adequate understanding and operation of the new model of labor justice.

Specific actions

7.1 Develop a comprehensive plan of training and selection on labor justice

Timeline	<ul style="list-style-type: none"> • June 2019
Legal basis	<ul style="list-style-type: none"> • Article Thirteen of the transitional provisions of the Reform to the Federal Labor Act of May 1st 2019
Responsible institutions	<ul style="list-style-type: none"> • Conciliation Authorities • Federal and state judicial branch courts • Office of the Federal and States' Attorney for the Defense of Workers (PROFEDET) • Public Defender Institute • States Judiciary Schools and Institutes • National Commission of Superior Courts of Justice of the United Mexican States
Activities	<ul style="list-style-type: none"> • The Federal Judicial Branch will present a proposal of the integral plan where two specific actions will be established: <ol style="list-style-type: none"> 1. A progressive-differentiated guideline which will include the complete training of the public servants assigned to the Federal Judicial Branch and that of those who wish to enter; 2. A coordinated participation guideline which will establish the minimum universal bases of knowledge and enforcement for legal operators of the other governmental bodies

	The other legal operators may replicate this model in their respective areas of jurisdiction, with the advice and accompaniment of the Federal Judicial Branch.
Technical Secretariat of the Coordination Council	Establish evaluation and accreditation mechanisms it deems suitable

7.2 Design of guidelines for the selection of conciliatory authorities

Timeline	June 2019 to March 2020
Legal basis	Article 684-G and Article Fifteen of the transitional provisions of the Reform of the Federal Labor Act of May 1st 2019
Responsible institutions	<ul style="list-style-type: none"> Federal Center of Conciliation and Labor Registration and states' Centers of Conciliation Federal Judicial Branch
Activities	<p>Define the procedures for selecting the conciliatory authorities, along with the criteria and steps that must be satisfied by the candidates who aspire to occupy said position, through a transparent, equal, and law-abiding process</p> <p>Materialize the counseling and technical support to be offered by the ILO, as well as other international organizations</p> <p>Accompaniment by the Federal Judicial Branch in the process of selecting and training the conciliatory authorities</p>
Technical Secretariat of the Coordination Council	Proposal of Guidelines for a System of Evaluation and Selection of conciliatory authorities.

7.3 Bases for the organization, operation, and development of Professional Service Career Path

Timeline	<ul style="list-style-type: none"> June 2019 to October 2020
Legal basis	<ul style="list-style-type: none"> Article 684-G and Article Fifteen of the transitional provisions of the Reform of the Federal Labor Act of May 1st 2019
Responsible institutions	<ul style="list-style-type: none"> Federal Center of Conciliation and Labor Registration and states' Centers of Conciliation
Activities	<ul style="list-style-type: none"> Establish the foundations to develop a professional service career path in each Center of Conciliation to guarantee the professionalization and development of public servants
Technical Secretariat of the Coordination Council	<ul style="list-style-type: none"> Proposal of Guidelines for a System of Evaluation and Selection of conciliatory authorities

8. Procedures to Guarantee Union Democracy and Meaningful Collective Bargaining

Freedom of association and union democracy are basic elements of any democratic State ruled by Law; that is why in this Labor Reform the following mechanisms were established in order to guarantee collective rights and principles:

- a) Statutory guarantees for the election of union representatives,
- b) Meaningful Collective Bargaining,
- c) Representativeness in contract signing,
- d) Consultation to workers of collective bargaining agreements and negotiated revision agreements,
- e) The recount by personal, free, direct and secret vote.

Objective

To ensure the implementation of democratic processes within unions to guarantee the personal, free, secret and direct vote of the workers through the implementation of the procedures foreseen in the Law.

Specific Actions

8.1 Adjustment of union organizations statutes

Timeline	<ul style="list-style-type: none"> December 2nd 2019 and May 2nd 2020, respectively
Legal basis	<ul style="list-style-type: none"> Articles 373, Twenty-two and Twenty-three of the transitional provisions, of the Reform of the Federal Labor Act of May 1st 2019
Responsible institutions	<ul style="list-style-type: none"> Unions' organizations Secretariat of Labor and Social Welfare (DGRA) Offices of the Attorney for the Defense of Workers (PROFEDET) Local Conciliation and Arbitration Boards
Activities	<p>Unions must carry on statutory adjustments regarding:</p> <ol style="list-style-type: none"> a) Election of Unions Boards b) Procedure for Certificate of Representativeness c) Procedure for the Consultation Regarding the Authorization of the Collective Labor Contract. d) Transparency in accountability. <p>The Offices of the Attorney for the Defense of Workers will offer any advisory required from workers and unions regarding their statutory adjustments. The Secretariat of Labor and Social Welfare, as well as the Local Conciliation and Arbitration Boards, will provide the necessary facilities for Unions to carry out the</p>

	adjustments and registry of their statutes within the periods established by the Law.
Technical Secretariat of the Coordination Council	Preparation of the informative guide regarding the new labor model and the required statutory adjustments.

8.2 Legitimation of Collective Bargaining Agreements

Timeline	June of 2019 to May 1 st , 2023
Legal basis	Article Eleven of the transitional provisions of the Reform of the Federal Labor Act of May 1st 2019
Responsible institutions	<ul style="list-style-type: none"> • Secretariat of Labor and Social Welfare • Federal and Local Conciliation and Arbitration Boards • Federal Conciliation Center and Labor Registration • Federal Judicial Branch
Activities	<p>The Secretariat of Labor and Social Welfare will establish the protocol to carry out the verification of the consultation referred by the Article Eleventh of the transitional provisions of the Reform of the Federal Labor Act of May 1st 2019, and will arrange the necessary measures for its instrumentation, for which the federal and local boards shall train their staff in the application of the verification protocol.</p> <p>Follow up by the Federal Judicial Branch in the legitimacy procedures of the Collective Bargaining Agreement.</p>
Technical Secretariat of the Coordination Council	<p>Issue the correspondent format models for calls, requests and minutes to which the verification protocol provided by the Secretariat of Labor and Social Welfare will refer, as well as guiding documents for conducting consultations.</p> <p>Convene working groups with experts to identify, and if necessary propose the best national and international practices in paragraphs “a” to “e” of this action area (number 8).</p>

9. Gender Perspective

The Labor Reform considers necessary to reaffirm equality and non-discrimination principles, therefore, it includes a gender perspective policy to assure its horizontal implementation within the new institutions and its procedures, aimed to observe respect, equality and dignity for workers.

Objective

To include a horizontal gender perspective in the implementation of the Labor Reform.

Specifications

9.1 Include a horizontal gender perspective, in the design, application, operation and evaluation of the Labor Reform implementation.

Timeline	Permanent
Legal basis	Article 132 paragraph XXXI, 358 section II, 371 Paragraph IX Bis, 590-A section IV, 658-G section V, 857 section IV of the Federal Labor Law.
Responsible institutions	<ul style="list-style-type: none"> • Secretariat of Labor and Social Welfare • National Women's Institute • National Council to Prevent and Eliminate Discrimination (CONAPRED) • National Council to Prevent and Eradicate Violence Against Women (CONAVIM) • State Labor Secretariats or homologous areas • State Women Institutes • State Judicial Branches
Activities	To provide comments and recommendations, as well as establish working groups to prepare handbooks, protocols, guidelines, indicators and criteria for the issuance of rules.
Technical Secretariat of the Coordination Council	Compile and arrange into systems, recommendations and proposals to be considered by the Council.

Follow-up and evaluation of the implementation of the Labor Reform

The follow-up of the Labor Reform implementation shall allow the review of each of the proposed objectives in a clear and objective manner to identify its progress. This requires establishing indicators that will provide certainty to the actions undertaken in the immediate, medium and long terms. This allows overcoming possible delays and inefficiencies during the labor reform implementation, to strengthen it with new actions and provide alternatives for improvement. The Technical Secretariat of the Coordination Council will develop a matrix including indicators to allow measurement of progress achieved at federal and local levels. According to this strategy, there is a clear need of coordinated actions to successfully combine the efforts of all the stakeholders involved in the implementation of the new justice labor system. It is time to comply with this pending topic that the Government of Mexico concerning its workers and employers.